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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

UBER TECHNOLOGIES, INC.

Defendant.

Case No. 3:21-cv-08735-WHA

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEADLINE FOR
JOINT SITE INSPECTION UNDER
GENERAL ORDER 56**

STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE FOR JOINT SITE
INSPECTION UNDER GENERAL ORDER 56
No. 21-cv-08735 (WHA)

1 Pursuant to Civil Local Rule 7-12 of the Northern District of California Civil Local Rules
2 and General Order No. 56 ¶ 3, Defendant Uber Technologies, Inc. and Plaintiff United States of
3 America, together (the “Parties”), hereby stipulate and agree as follows:

4 WHEREAS, the United States filed its Complaint (ECF No. 1) on November 10, 2021;

5 WHEREAS, the Complaint alleges that Uber’s policy of charging wait time fees for riders
6 who require more than two minutes to board a vehicle, including riders who require more time
7 because of their disabilities, violates Title III of the Americans with Disabilities Act, 42 U.S.C.
8 §§ 12181–89, as amended, and its implementing regulation, 49 C.F.R. Part 37;

9 WHEREAS, an initial case management scheduling order under General Order 56 was
10 entered on November 12, 2021, (ECF No. 8);

11 WHEREAS, Uber waived service of the Summons and Complaint on November 15, 2021,
12 (ECF No. 16);

13 WHEREAS, the United States maintains that the Complaint asserts claims “based on the
14 accessibility of a website or mobile software application,” and so a joint site inspection is required
15 under General Order 56 ¶ 7(c);

16 WHEREAS, Uber maintains that the Complaint alleges only a “programmatic or policy
17 violation[]” for which no such inspection is necessary under General Order 56 ¶ 7(a);

18 WHEREAS, notwithstanding this disagreement, the Parties have agreed to a joint site
19 inspection as described in General Order 56 ¶ 7;

20 WHEREAS, the deadline for a joint site inspection under General Order 56 ¶ 7 is now
21 January 14, 2022;

WHEREAS, the Parties continue to discuss the parameters of the joint site inspection, and Uber needs additional time to prepare given detailed questions from the United States and the intervening holidays;

WHEREAS, while the United States is and remains prepared to proceed with the joint site inspection within the time set by General Order 56, the United States consents to an extension of the deadline to conduct a joint site inspection until February 4, 2022, as a courtesy based on Uber's representation that it is not feasible for Uber to conduct the inspection by January 14, 2022;

WHEREAS, this is the first extension of time requested for the joint site inspection in this matter;

IT IS HEREBY STIPULATED AND AGREED by the United States and Uber, pursuant to General Order 56 and Civil Local Rule 7-12, that the deadline for the Parties to conduct a joint site inspection shall be extended to February 4, 2022, and all other dates that are calculated based on the inspection date will be adjusted accordingly.

Dated: December 23, 2021

Respectfully submitted,

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

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*Attorneys for Defendant
Uber Technologies, Inc.*

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

The deadline for the Parties to complete a joint site inspection under General Order 56 is continued to February 4, 2022, and all other dates that are calculated based on the inspection date will be adjusted accordingly.

DATED: _____

By: _____

Hon. William H. Alsup

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2021, I electronically filed the above document with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

Dated: December 23, 2021

Respectfully submitted,

/s/ Joshua A. Vittor

Joshua A. Vittor

ATTORNEY ATTESTATION

I, Joshua A. Vittor, am the ECF User whose ID and password are being used to file this Stipulation and accompanying proposed order. In compliance with Civil Local Rule 5-l(h)(3), I hereby attest that concurrence in the filing of this document and all attachments has been obtained from each signatory.

Dated: December 23, 2021

Respectfully submitted,

/s/ Joshua A. Vittor

Joshua A. Vittor